



MINUTES OF THE CITY COUNCIL

SAN JOSÉ, CALIFORNIA

TUESDAY, FEBRUARY 28, 2017

The Council of the City of San José convened in Regular Session at 9:33 a.m. in the Council Chambers at City Hall.

Present: Councilmembers - Arenas, Carrasco, Davis, Diep, Jimenez, Jones, Khamis, T. Nguyen, Peralez, Rocha; Liccardo.

Absent: Councilmembers - All Present.

STRATEGIC SUPPORT SERVICES

3.2 Accept Labor Negotiations Update.

There was no report.

CLOSED SESSION

Upon motion unanimously adopted, Council recessed at 9:38 a.m. to a Closed Session in Room W133; (A) to confer with Legal Counsel pursuant to subsection (c) of Section 54956.9 of the Government Code with respect to litigation in one (1) matter; (B) to confer with Legal Counsel pursuant to Government Code Section 54956.9(d)(1) with respect to existing litigation; (1) In re: Claim of Wells; Amount of Money or Other Relief Sought: Administrative Appeal; (2) In re: Claim of Reich; Amount of Money or Other Relief Sought: Administrative Appeal; (3) In re: Claim of Lopez; Amount of Money or Other Relief Sought: Administrative Appeal; (4) Burt v. City of San José; Names Of Partie(s) Involved: Shauncey Burt, the City of San José, the San José Police Department; Unidentified San José Police Officers Numbered 1 through 6 and Does 7 through 50; Court: Superior Court of California, County of Santa Clara, Unlimited Jurisdiction; Case No.: 15-CV-280121; Amount of Money or Other Relief Sought: Damages according to proof; (5) City of Santa Clara v. City of San José, et al.; Names Of Partie(s) Involved: City of Santa Clara, City of San José, City of San José City Council, Does I through X; Federal Realty

CLOSED SESSION (Cont'd.)

and Investment Trust, and Does 1-20; Court: Superior Court of California, County of Santa Clara; Case No.: 16-CV-302300; Amount of Money or Other Relief Sought: Damages according to proof; (6) City of San José v. City of Santa Clara; Names Of Partie(s) Involved: City of San José, City of Santa Clara; Court: Superior Court of California, County of Santa Clara; Case No.: 16-CIV-02303; Amount of Money or Other Relief Sought: Damages according to proof; (7) IFPTE Local 21 v. City of San José; Names of Partie(s) Involved: International Federation of Professional and Technical Engineers Local 21, City of San José; Court: State of California Public Employees Relations Board; Case No.: SF-CE-996-M; Amount of Money or Other Relief Sought: Damages According to Proof; (8) American Federation of State, County & Municipal Employees, et al. v. City; Names of Partie(s) Involved: American Federation of State, County & Municipal Employees, City of San José; Court: State of California Public Employees Relations Board; Case No.: SF-CE-924-M; Amount of Money or Other Relief Sought: Damages According to Proof; (9) OE#3 v. City of San José; Names Of Partie(s) Involved: Operating Engineers Local Union No. 3, City of San José; Court: State of California Public Employees Relations Board; Case No.: SF-CE-900-M; (10) ABMEI v. City, et al.; Names of Partie(s) Involved: Association of Building, Mechanical and Electrical Inspectors, City of San José; Court: State of CA Public Employment Relations Board; Case No.: UPC SF CE 1358 M; Amount of Money or Other Relief Sought: Damages According to Proof; (11) San José Retired Employees Association, et al. v. City, et al; Names of Parties Involved: San José Retired Employees Association, Howard E. Fleming, Donald S. Macrae, Frances J. Olson, Gary J. Richert and Rosalinda Navarro, City of San José Does 1 – 50, Board of Administration for the Federated City Employees Retirement System; Court: Superior Court of California, County of Santa Clara; Case No: 1-12-CV-233660; H040979; H042074; Amount of Money or Other Relief Sought: Declaratory Relief and Verified Petition for Writ of Mandate. (12) Sapien, et al. v. City of San José, et al; Names of Parties Involved: Robert Sapien, Marty Kathleen McCarthy, Thanh Ho, Randy Sekany, Ken Heredia, City of San José, Debra Figone in her official capacity as City Manager of the City of San José, Does 1-15, The Board of Administration for the 1961 San José Police and Fire Department Retirement Plan; Court: Superior Court of California, County of Santa Clara; Case No: 1-12-CV-225928; Amount of Money or Other Relief Sought: Challenge to Measure B. (13) Harris, et al. v. City of San José, et al; Names of Parties Involved: Teresa Harris, Jon Reger, Moses Serrano, Suzann Stauffer, City of San José, Debra Figone in her official capacity as City Manager of the City of San José, The Board of Administration for the 1975 Federated City Employees' Retirement Plan, Does 1-15; Court: Superior Court of California, County of Santa Clara; Case: 1-12-CV-226570; Amount of Money or Other Relief Sought: Challenge to Measure B. (14) Mukhar, et al. v. City of San José, et al; Names of Parties Involved: City of San José, John Mukhar, Dale Dapp, James Atkins, William Buffington, Kirk Pennington, Debra Figone in her official capacity as City Manager of the City of San José, The Board of Administration for the 1975 Federated City Employees' Retirement Plan, Does 1-15; Court: Superior Court of California, County of Santa Clara; Case: 1-12-CV-226574; H040979; H042074; Amount of Money or Other Relief Sought: Challenge to Measure B. (15) AFSCME, et al. v. City of San José, et al; Names of Parties Involved: American Federation of State, County and Municipal Employees, Local 101 on behalf of its members, City of San José, The Board of Administration for the Federated City Employees' Retirement Plan; Court: Superior Court of California, County of Santa

CLOSED SESSION (Cont'd.)

Clara; Case: 1-12-CV-225928; H040979; H042074; Amount of Money or Other Relief Sought: Challenge to Measure B; (16) People of the State of California, et al. v. City of San José, et al.; Names of Partie(s) Involved: The People of the State of California ex rel. San José Police Officers Association, City of San José, City Council of San José; Court: Superior Court of California, County of Santa Clara; Case No: 1-13-CV-245503; Amount of Money or Other Relief Sought: Verified Complaint In Quo Warranto; (17) Peter Constant, Steven Haug and Silicon Valley Taxpayers' Association v. Superior Court; Names Of Partie(s) Involved: Peter Constant, Steven Haug, Silicon Valley Taxpayers' Association, a California non-profit Corporation, Proposed Intervenors, Appellants and Petitioners, Superior Court of California, County of Santa Clara, Respondent, the People of the State of California ex. Rel. San José Police Officers Association, Plaintiff, Respondent and Real Party in Interest, City of San José, City Council of San José, Defendants, Respondents and Real Parties in Interest; Court: Sixth District Court of Appeal; Case No.: H043540; Amount of Money or Other Relief Sought: Petition for Writ of Mandate or, In the Alternative, Supersedeas, or Other Appropriate Relief; (18) San José Retired Employees Association, et al. v. City of San José, et al; Names of Partie(s) Involved: San José Retired Employees Association, Kirk Pennington, David Armstrong, Donna Jewett, Dorothy McGinley, City of San José, the Board of Administration for the Federated City Employees Retirement Plan; Court: Superior Court of California, County of Santa Clara; Case No: 1-14-CV-268085; Amount of Money or Other Relief Sought: Change to City medical plan; (C) to Confer with Labor Negotiator Pursuant to Government Code Section 54957.6: City Negotiator: Jennifer Schembri, Director of Employee Relations; Employee Organizations: (1) Association of Building, Mechanical and Electrical Inspectors (ABMEI); Nature of Negotiations: Wages/Salaries, Hours, Working Conditions, etc.; Name of Existing Contract or MOA: Memorandum of Agreement between City of San José and ABMEI. (2) Association of Engineers & Architects (AEA); Nature of Negotiations: Wages/Salaries, Hours, Working Conditions, etc.; Name of Existing Contract or MOA: Memorandum of Agreement between City of San José and AEA. (3) Association of Maintenance Supervisory Personnel (AMSP); Nature of Negotiations: Wages/Salaries, Hours, Working Conditions, etc.; Name of Existing Contract or MOA: Memorandum of Agreement between City of San José and AMSP. (4) City Association of Management Personnel Agreement (CAMP); Nature of Negotiations: Wages/Salaries, Hours, Working Conditions, etc.; Name of Existing Contract or MOA: Memorandum of Agreement between City of San José and CAMP. (5) Confidential Employees' Organization, AFSCME Local 101 (CEO); Nature of Negotiations: Wages/Salaries, Hours, Working Conditions, etc.; Name of Existing Contract or MOA: Memorandum of Agreement between City of San José and CEO; (6) International Association of Firefighters, Local 230 (IAFF); Nature of Negotiations: Wages/Salaries, Hours, Working Conditions, etc.; Name of Existing Contract or MOA: Memorandum of Agreement between City of San José and International Association of Firefighters. (7) International Brotherhood of Electrical Workers (IBEW); Nature of Negotiations: Wages/Salaries, Hours, Working Conditions; Name of Existing Contract or MOA: Memorandum of Agreement between City of San José and IBEW; (8) Municipal Employees' Federation, AFSCME Local 101, AFL-CIO (MEF); Nature of Negotiations: Wages/Salaries, Hours, Working Conditions, etc.; Name of Existing Contract or MOA: Memorandum of Agreement between City of San José and MEF;

CLOSED SESSION (Cont'd.)

(9) International Union of Operating Engineers, Local No. 3 (OE#3); Nature of Negotiations: Wages/Salaries, Hours, Working Conditions, etc.; Name of Existing Contract or MOA: Memorandum of Agreement between City of San José and International Union of Operating Engineers, Local No. 3. (10) San José Police Officers' Association (SJPOA); Nature of Negotiations: Salaries, Hours, Working Conditions, etc.; Name of Existing Wages Contract or MOA: Memorandum of Agreement between City of San José and San José Police Officers' Association. (11) Association of Legal Professionals of San José (ALP); Nature of Negotiations: Wages/Salaries, Hours, Working Conditions, etc;

Web: <http://www.sanjoseca.gov/?nid=186>; Telephone for Employee Relations: 408-535-8150.

By unanimous consent, Council recessed from the Closed Session at 11:35 p.m. and reconvened to Regular Session at 1:30 p.m. in the Council Chambers.

Present: Councilmembers - Arenas, Carrasco, Davis, Diep, Jimenez, Jones, Khamis, T. Nguyen, Peralez, Rocha; Liccardo.

Absent: Councilmembers - All Present.

INVOCATION

Mike Brock provided the Invocation.

PLEDGE OF ALLEGIANCE

Mayor Sam Liccardo led the Pledge of Allegiance.

CEREMONIAL ITEMS

1.1 Presentation of a commendation recognizing Amanda Fukamoto, Project Coordinator of the Coyote Creek Homeless Stream Stewards. (Nguyen)

Mayor Sam Liccardo and Councilmember Tam Nguyen presented a commendation recognizing Amanda Fukamoto, Project Coordinator of the Coyote Creek Homeless Stream Stewards, for her tremendous efforts in working with homeless individuals to help keep Coyote Creek clean and beautiful for all to enjoy.

1.2 Presentation of commendations to Pamela Parrish and Gary Prideaux. (Rocha)

Mayor Sam Liccardo and Councilmember Donald Rocha presented a commendation to Pamela Parrish and Gary Prideaux for their dedication and volunteerism in the City of San José, and for their service on the Neighborhoods Commission and the Housing and Community Development Commission.

CEREMONIAL ITEMS

- 1.3 Presentation of a commendation recognizing Stephen Sherman, EMT, for his quick and valiant actions on October 2, 2016 at the scene of a fatal hit and run accident in San José. Stephen jumped into action blocking off traffic and providing urgently needed medical assistance to the victim. His behavior assisted first responders to effectively do their job, and kept the public at large safe. (Jimenez)**
Item deferred per Administration.

ORDERS OF THE DAY

Upon motion by Councilmember Donald Rocha, seconded by Vice Mayor Magdalena Carrasco and carried unanimously, the Orders of the Day and the Amended Agenda were approved, with Items 3.6, 3.7 and 5.1 deferred to 3/14/17; Item 4.1 deferred to 3/21/17; Items 4.3 and 11.1 dropped and Renoticed to 3/14/17; Item 5.2 deferred to 3/7/17; Item 1.3 deferred; Item 9.1 to be heard immediately following the Consent Calendar, and with Item 3.4, Board of Fair Campaign and Political Practices Interviews, not to be heard until after 4 p.m. *Note: New Item 3.8(b), Proclamation of the Existence of a Local Emergency, "Adoption of an Urgency Ordinance waiving City permit and inspection fees for clean-up and repair efforts for property owners of dwelling units in the designated emergency flood area affected by the recent Coyote Creek flood, and to consider waiving fees for businesses located in the area for similar clean-up and repair efforts, as well." Added Under Orders of the Day. Requires a Determination by a Two-Thirds (2/3) Vote of the Members of the Council Present at the Meeting, or, if Less Than Two-Thirds (2/3) of the Members of the Council Are Present at the Meeting, a Unanimous Vote of those Members Present that there is a Need to Take Immediate Action. Council's Rules of Conduct, Resolution No. 77919, Rule 3(d).*

CONSENT CALENDAR

Upon motion by Councilmember Chappie Jones, seconded by Councilmember Tam Nguyen and carried unanimously, the Consent Calendar was approved and the below listed actions were taken as indicated. (11-0.)

- 2.1 Approval of Council Minutes:**
None provided.
- 2.2 Final Adoption of Ordinances.**
- (a) **ORD. NO. 29879 – An ordinance of the City of San José repealing Section 3.04.490 of Chapter 3.04, adding a new Chapter 3.57, and amending various sections of Chapters 3.32, 3.36 and 3.44 of Title 3 of the San José Municipal Code, to implement the terms of the Alternative Pension Reform Settlement Framework Agreement with the San José Police Officers' Association and International Association of Fire Fighters, Local 230. CEQA: Not a Project; PP10-068(b), Municipal Code or Policy. (City Manager)**

2.2 Final Adoption of Ordinances (Cont'd.)

Documents Filed: Proof of Publication of the Title of Ordinance No. 29879 executed on February 17, 2017, submitted by the City Clerk.

Action: Ordinance No. 29879 was adopted. (11-0.)

2.3 Approval of Council Committee Minutes.

(a) **Rules and Open Government Committee Minutes of February 1, 2017.**
(Mayor)

(b) **Rules and Open Government Committee Minutes of February 8, 2017.**
(Mayor)

CEQA: Not a Project, File No. PP10-069(c), City Administrative Activities.

Documents Filed: (1) Rules and Open Government Committee Minutes dated February 1 and February 8, 2017.

Action: The Council Committee Minutes were accepted. (11-0.)

2.4 Mayor and Council Excused Absence Requests.

None provided.

2.5 City Council Travel Reports.

None provided.

2.6 Report from the Council Liaison to the Retirement Boards.

None provided.

2.7 Approve a settlement in the amount of \$180,500 and authorize the City Attorney to execute a Settlement Agreement to settle the case of Smithson v. City of San José. **CEQA: Not a Project, File No. PP10-066(h), Settlement Agreements. (City Attorney)**

Action: A settlement in the amount of \$180,500 and authorize the City Attorney to execute a Settlement Agreement to settle the case of Smithson v. City of San José was approved. (11-0.)

2.8 Adopt a resolution authorizing the City Manager to execute an Easement Agreement with the San Jose Water Company for water facilities installation to support the construction of the Coleman Highline Project, a LEED Gold project located in San José. CEQA: Determination of Consistency with the FMC/Coleman Avenue PD Rezoning Final EIR, File No. PDC98-104 (Resolution No. 71716) and Addenda thereto. Council District 3. (Economic Development) **CEQA: Not a Project, File No. PP10-069(c), City Administrative Activities.** **(Khamis)**

2.8 (Cont'd.)

Documents Filed: City Council Action Request from Deputy City Manager/Director of Economic Development Kim Walesh, dated February 28, 2017, recommending adoption of a resolution.

Action: Resolution No. 78091, entitled: "A Resolution of the Council of the City of San José Authorizing the City Manager to Execute an Easement Agreement with the San José Water Company for Water Facilities Installation to Support the Construction of the Coleman Highline Project, a LEED Gold Project Located in San José", was adopted. (11-0.)

2.9 Adopt a resolution designating City of San José officials to be authorized to apply for Federal and State Disaster Assistance. CEQA: Not a Project, File No. PP10-068, General Procedure & Policy Making. (Finance)

Documents Filed: Memorandum from Director of Finance Julia H. Cooper, dated February 1, 2017, recommending adoption of a resolution.

Action: Resolution No. 78092, entitled: "A Resolution of the Council of the City of San José Designating Officials Authorized to Apply for Disaster Assistance", was adopted. (11-0.)

2.10 Accept the report on the Request for Proposal for the development and implementation of a Master Address Database, and adopt a resolution authorizing the City Manager to:

- (a) Negotiate and execute an Agreement with Michael Baker International, Inc. (Pittsburgh, PA) for the development and implementation of a Master Address Database, including software licenses, professional services, technical support, and maintenance, for an initial term commencing on or about February 28, 2017 and ending on or about June 30, 2020, with a maximum compensation amount not to exceed \$391,400, subject to the appropriation of funds;**
- (b) Execute amendments and/or change orders to cover any unanticipated changes in requirements or for future enhancements for an amount not to exceed \$200,000 during the initial term, subject to the appropriation of funds; and**
- (c) Exercise up to five one-year options to extend the term of the Agreement after the initial term through June 30, 2025 to provide ongoing technical support, maintenance, and related professional services, subject to the appropriation of funds.**

CEQA: Not a Project, File No. PP10-066, Agreements and Contracts. (Finance)

Documents Filed: Memorandum from Director of Finance Julia H. Cooper, dated February 6, 2017, recommending acceptance of a report and adoption of a resolution.

2.10 (Cont'd.)

Action: The report on the Request for Proposal for the development and implementation of a Master Address Database was accepted; and Resolution No. 78093, entitled: "A Resolution of the Council of the City of San José Authorizing the City Manager to (1) Negotiate and Execute an Agreement with Michael Baker International, Inc., for the Development and Implementation of a Master Address Database for an Initial Term Commencing on or about February 28, 2017 and Ending on or about June 30, 2020, with a Maximum Compensation Amount Not to Exceed \$391,400; (2) Execute Amendments and/or Change Orders for an Amount Not to Exceed \$200,000 During the Initial Term; and (3) Exercise up to Five One-Year Options to Extend the Term of the Agreement through June 30, 2025 to Provide Ongoing Technical Support, Maintenance and Related Professional Services", was adopted. (11-0.)

2.11 Adopt a resolution to amend the City of San José Pay Plan effective February 28, 2017, to create the following classifications:

- (a) **Employee Health Services Supervisor (5121) with a salary range of \$66,206.40-\$80,704.00 annually; and**
- (b) **Background Investigator FT/PT (1190/1191) with a salary range of \$82,222.40- \$100,172.80 annually.**

CEQA: Not a Project, File No. PP10-068(b), General Procedure & Policy, Municipal Code or Policy. (Human Resources)

Documents Filed: Memorandum from Director of Human Resources, Joe Angelo, dated February 6, 2017, recommending adoption of a resolution.

Action: Resolution No. 78094, entitled: "A Resolution of the Council of the City of San José Amending the City of San José Pay Plan for Various Job Classifications", was adopted. (11-0.)

- ## 2.12
- (a) **Approve the Great Oaks Central Park Master Plan.**
 - (b) **Approve a Turnkey Parkland Agreement for Tentative Map No. PT15-039 with iStar San Jose LLC (iStar Financial, Inc.) to construct park improvements and dedicate approximately 1.5 acres of parkland to the City on the future iStar / Great Oaks Park site.**

CEQA: Environmental Impact Report for the Great Oaks Mixed Use Project, File No. PDC12-028. Council District 2. (Parks, Recreation and Neighborhood Services)

Documents Filed: Memorandum from Director of Parks, Recreation and Neighborhood Services Angel Rios, Jr., dated January 17, 2017, recommending approval of a Master Plan and Turnkey Parkland Agreement.

Councilmember Sergio Jimenez pulled Item 2.12 for clarification. Deputy Director, Parks, Recreation and Neighborhood Services, Marybeth Harasz and staff responded to questions.

Action: Upon motion by Councilmember Sergio Jimenez, seconded by Councilmember Donald Rocha and carried unanimously, the Great Oaks Central Park Master Plan and Turnkey Parkland Agreement for Tentative Map No. PT15-039 were approved. (11-0.)

- 2.13 Approve Master Agreements with Brown and Caldwell, RMC Water and Environment, and HDR Engineering Inc. from the date of execution through January 31, 2022 in an amount not to exceed \$1,000,000 for each agreement. CEQA: Exempt, File No. PP10-066(d), Agreements and Contracts, Consultant Services. (Public Works)**

Documents Filed: City Council Action Request from Director of Public Works Barry Ng, dated February 28, 2017, recommending approval of Master Agreements.

Action: Master Agreements with Brown and Caldwell, RMC Water and Environment, and HDR Engineering Inc. from the date of execution through January 31, 2022 in an amount not to exceed \$1,000,000 for each agreement, were approved. (11-0.)

- 2.14 (a) Report on bids and award of a construction contract for 7748 – Backesto Park Improvements project to the low bidder, Integra Construction Services, Inc. for the base bid and Add Alternate No. 2 in the total amount of \$446,341 and approval of a five percent contingency in the amount of \$22,317.**
- (b) Adopt the following 2016-2017 Appropriation Ordinance Amendments in Construction Tax & Property Conveyance Tax Fund: Parks Purposes Council District #3:**
- (1) Establish an appropriation to the Parks, Recreation and Neighborhood Services Department for the Backesto Park Renovation in the amount of \$107,000; and**
- (2) Decrease the Ending Fund Balance by \$107,000.**
- (c) Adopt the following 2016-2017 Appropriation Ordinance Amendments in the Subdivision Park Trust Fund:**
- (1) Increase the Backesto Park Renovation appropriation to the Parks, Recreation and Neighborhood Services Department by \$105,000; and**
- (2) Decrease the Future PDO/PIO Projects Reserve by \$105,000.**
- CEQA: CEQA: Exempt, File No. PP16-057, CEQA Section 15301(e), Existing Facilities, File No. PP16-057. Council District 3. (Public Works, Parks, Recreation and Neighborhood Services/City Manager)**

Documents Filed: Memorandum from Director of Public Works Barry Ng, Director of Parks, Recreation and Neighborhood Services Angel Rios, Jr. and Senior Deputy City Manager/Budget Director Jennifer Maguire, dated January 30, 2017, recommending acceptance of a report and adoption of appropriation ordinance amendments.

Action: Ordinance No. 29881, entitled “An Ordinance of the City of San José Amending Ordinance No. 29762 to Appropriate Moneys In the Construction Tax And Property Conveyance Tax Fund: Parks Purposes Council District #3 for the Backesto Park Renovation; and Providing that this Ordinance Shall Become Effective Immediately Upon Adoption,” and Ordinance No. 29883, entitled “An Ordinance of the City of San José Amending Ordinance No. 29762 to Appropriate Moneys in the Subdivision Park Trust Fund for the Backesto Park Renovation; And Providing that this Ordinance Shall Become Effective Immediately Upon Adoption”, were adopted. (11-0.)

2.15 Approve the Maintenance Agreement between the State of California, Department of Transportation (Caltrans) and the City of San José for Route 87 (Coleman Avenue to US 101). CEQA: Exempt, File No. PP16-123, Section 15301, Existing Facilities. Council District 3. (Transportation)

Documents Filed: City Council Action Request from Director of Transportation Jim Ortbal, dated February 28, 2017, recommending approval of a Maintenance Agreement.

Action: The Maintenance Agreement between the State of California, Department of Transportation (Caltrans) and the City of San José for Route 87 (Coleman Avenue to US 101) was approved. (11-0.)

2.16 Adopt a resolution to repeal Resolution No. 77826 and set forth speed limits in the City of San José in compliance with State law to re-establish speed limits with changes to four roadways, including portions of Capitol Avenue, Market Street, First Street, and Monterey Road. CEQA: Exempt, File No. PP14-017, Section 15301, Existing Facilities. Council Districts 2, 3, 5, 7, and 10. (Transportation)

Documents Filed: Memorandum from Director of Transportation Jim Ortbal, dated February 6, 2017, recommending adoption of a resolution.

Action: Resolution No. 78095, entitled: “A Resolution of the Council of the City of San José (1) Reestablishing Speed Limits with Changes on Seven Roadway Segments; and (2) Repealing Resolution No. 77826”, was adopted. (11-0.)

2.17 As recommended by the Rules and Open Government Committee on February 15, 2017:

- (a) Approve the César Chavez Day Flag Raising scheduled on Thursday, March 23, 2017 as a City Council sponsored Special Event and approve the expenditure of funds.**
- (b) Approve and accept donations from various individuals, businesses or community groups to support the event.**

CEQA: Not a Project, File No. PP15-077, Temporary Special Events.

Documents Filed: Memorandum from City Clerk Toni J. Taber, dated February 16, 2017, transmitting the recommendations of the Rules and Open Government Committee.

Action: The Cesar Chavez Day Flag Raising as a City Council Sponsored Special Event was approved, and expenditure of funds and authorization to accept donations from various individuals, businesses or community groups to support the event, was approved. (11-0.)

2.18 As recommended by the Rules and Open Government Committee on February 15, 2017:

- (a) Approve the Viet Heritage Gardens Grand Re-Opening and Ribbon Cutting Ceremony on Friday, February 17, 2017 at Viet Heritage Gardens; Read Across America on Thursday, March 2, 2017 at Tully Library; Grand Re-Opening of Alma Community Center on Saturday, March 4, 2017 at Alma Community Center; District 7 Budget Meeting on Thursday, March 9, 2017 at**

2.18 (Cont'd.)

Tully Library Community Room; Spring Carnival and Egg Hunt on Saturday, April 15, 2017 at Tully Library as City Council sponsored Special Events and approve the expenditure of funds.

- (b) Approve and accept donations from various individuals, businesses or community groups to support the event.**

CEQA: Not a Project, File No. PP15-077, Temporary Special Events. (Nguyen)

Documents Filed: Memorandum from City Clerk Toni J. Taber, dated February 16, 2017, transmitting the recommendations of the Rules and Open Government Committee.

Action: The Viet Heritage Gardens Grand Re-Opening and Ribbon Cutting Ceremony on Friday, February 17, 2017 at Viet Heritage Gardens; Read Across America on Thursday, March 2, 2017 at Tully Library; Grand Re-Opening of Alma Community Center on Saturday, March 4, 2017 at Alma Community Center; District 7 Budget Meeting on Thursday, March 9, 2017 at Tully Library Community Room; Spring Carnival and Egg Hunt on Saturday, April 15, 2017 at Tully Library as City Council Sponsored Special Events were approved, and expenditure of funds and authorization to accept donations from various individuals, businesses or community groups to support these events, were approved. (11-0.)

- 2.19 As recommended by the Rules and Open Government Committee on February 22, 2017, authorize the City Attorney to join in an amicus curiae brief along with the City of Chicago in the case of State of Washington; State of Minnesota v. Trump to uphold the nationwide Temporary Restraining Order enjoining the President's Immigration Executive Order. CEQA: Not a Project, File No. PP10-069(c), City Administrative Activities. (City Attorney)**

Documents Filed: (1) Memorandum from City Clerk Toni J. Taber, dated February 25, 2016, transmitting the recommendations of the Rules and Open Government Committee. (2) Letter from Nicole Regalado, Campaign Manager, CREDO Action, delivering signatures of 1,162 constituents supporting joining the amicus curiae brief.

Action: The City Attorney was authorized to join in an amicus curiae brief along with the City of Chicago in the case of State of Washington; State of Minnesota v. Trump to uphold the nationwide Temporary Restraining Order enjoining the President's Immigration Executive Order. (11-0.)

END OF CONSENT CALENDAR

STRATEGIC SUPPORT SERVICES

3.1 Report of the City Manager, Norberto Dueñas (Verbal Report).

City Manager Norberto Dueñas and Assistant City Manager David Sykes shared thoughts on last weeks' flood disaster in San José, offering praise to City employees, the community and many organizations that assisted in recovery efforts, reiterated that the resident's well-being is the top priority and addressed 'lessons learned' and hazard mitigation efforts.

3.3 Approve a settlement in the amount of \$3.3 million, inclusive of attorney's fees, and authorize the City Attorney to execute a Settlement Agreement to settle the case of Berg & Berg Enterprises, LLC v. City of San José, et al. CEQA: Not a Project, File No. PP10-066(h), Settlement Agreements. (City Attorney)

Documents Filed: Memorandum from City Attorney Richard Doyle, dated February 15, 2017, recommending approval of a settlement.

Action: Upon motion by Councilmember Sergio Jimenez, seconded by Councilmember Chappie Jones and carried unanimously, a settlement in the amount of \$3.3 million, inclusive of attorney's fees, and authorize the City Attorney to execute a Settlement Agreement to settle the case of Berg & Berg Enterprises, LLC v. City of San José, et al., was approved. (11-0.)

- 3.4 (a) Interview applicants for appointment to the Board of Fair Campaign and Political Practices.
- (b) Appoint one (1) member to the Board of Fair Campaign and Political Practices to an unexpired term ending March 1, 2019.
- (c) Appoint two (2) members to the Board of Fair Campaign and Political Practices for the term March 2, 2017 to March 1, 2021.
- (d) If any vacancy remains, direct the City Clerk to continue recruitment efforts and bring forward additional applicants for consideration within 90 days.
- CEQA: Not a Project, File No. PP10-069(e), City Administrative Activities. (City Clerk)

Documents Filed: (1) Memorandum from City Attorney Richard Doyle, dated February 7, 2017, regarding Board of Fair Campaign and Political Practices Applicants. (2) Memorandum from City Clerk Toni J. Taber, CMC, dated February 17, 2017, providing interview information for the Boards' appointments. (3) Memorandum from Deputy Director, Planning, Building and Code Enforcement, Diane Buchanan, dated January 31, 2017 regarding Ethics Commission Applicant Code Review. (4) Voting ballot for Board of Fair Campaign and Political Practices Applicants, dated February 28, 2017.

Three applicants were interviewed for appointment to the Board of Fair Campaign and Political Practices.

3.4 (Cont'd.)

Action: With nine votes each, Hugh Christopher Peacock and Thomas Goodwin were appointed to the Fair Campaign and Political Practices for the term March 2, 2017 to March 1, 2021. With nine votes, Amarpal Randhawa was appointed to the Board of Fair Campaign and Political Practices to an unexpired term ending March 1, 2019. (10-0-1. Noes: Nguyen.)

Please note: Approval of this item requires 8 or more affirmative votes (2/3).

- 3.5 (a) **Approve removal of 11 completed priorities from the Council Priority list.**
(b) **Approve new items for the Council Priority list.**
(c) **Rank items on Council Priority list.**
CEQA: Not a Project, File No. PP10-069, City Administrative Activities. (City Manager)

Action: Deferred to March 7, 2017 per Rules Committee.

- 3.6 **Accept the Semi-Annual Capital Improvement Program Report. CEQA: Not a Project, File No. PP10-069(a), City Organizational and Administrative Activities, Staff Reports that involve no approvals of City Actions. (Public Works)**

Action: Deferred to March 14, 2017 per Orders of the Day.

- 3.7 **As recommended by the Transportation and Environment Committee on February 6, 2017, accept the status report on the City's Deferred Maintenance and Infrastructure Backlog. CEQA: Not a Project, File No. PP10-069(a), City Organizational and Administrative Activities, Staff Reports that involve no approvals of City Actions. (Public Works)**
[Transportation and Environment Committee referral 2/6/17 – Item (d)(2)]

Action: Deferred to March 14, 2017 per Orders of the Day.

- 3.8 (a) **Adopt a resolution ratifying the Director of Emergency Services' proclamations of the existence of a local emergency.**
(b) **Adoption of an Urgency Ordinance waiving City permit and inspection fees for clean-up and repair efforts for property owners of dwelling units in the designated emergency flood area affected by the recent Coyote Creek flood, and to consider waiving fees for businesses located in the area for similar clean-up and repair efforts, as well.**

CEQA: Statutory Exempt, Section 15269, Emergency Projects Undertake specific actions necessary to prevent or mitigate an emergency. (City Manager)

Documents Filed: (1) Memorandum from Mayor Sam Liccardo, dated February 24, 2017, providing direction to the City Manager regarding permit fee waivers. (2) Memorandum from Mayor Sam Liccardo, dated February 28, 2017, providing direction to the City Manager to agendaize items for public discussion. (3) Memorandum from City Manager Norberto Dueñas, dated February 24, 2017, recommending adoption of a resolution. (4) Letter from Assemblymember Ash Kalra, dated February 28, 2017, providing support.

3.8 (Cont'd.)

Mayor Sam Liccardo provided comments and indicated that the first public hearing would be set for Thursday, March 9, 2017.

Public Comments: Offering concerns and suggestions regarding the recent flooding disaster, were Shaunn Cartwright, Mary Preciado, Dr. Jen Johnson; Chelsey Seagraves, representing Assemblymember Ash Kalra; Alberto Carrillo, Sr., Manuel Estrada, Constantine Gondunas, and Ray Perez.

Motion: Councilmember Raul Perez moved approval of ratification of a proclamation of emergency due to the recent Coyote Creek flood, including direction as indicated below in "Action". Perez further recommended that the public hearing be held from 3:00 to 9:00 p.m. The motion was seconded by Vice Mayor Magdalena Carrasco.

Action: On a call for the question, the motion carried unanimously, and Resolution No. 78096, entitled: "A Resolution of the Council of the City of San José Ratifying the Proclamations of Existence of a Local Emergency Issued by the Director of Emergency Services", was adopted. (11-0.)

Action: Upon motion by Vice Mayor Magdalena Carrasco, seconded by Councilmember Tam Nguyen and carried unanimously, Urgency Ordinance No. 29882 was adopted, including additional direction that the City Manager may waive *or defer* certain City permit and inspection fees for clean-up and repair efforts...and consider waiving the fees *or deferring* fees for businesses located in the area for similar clean-up and repair efforts. A public hearing was set for March 9, 2017 from 3-9 p.m. for discussion of the City's response to the flood disaster. (11-0.)

COMMUNITY & ECONOMIC DEVELOPMENT

4.1 (As recommended by the Community and Economic Development Committee on January 23, 2017, accept the report and approve an ordinance to:

- (a) Amend Title 4 of the San José Municipal Code to create a temporary partial suspension from the Commercial-Residential-Mobilehome Park Building Tax (SJMC 4.47) to achieve a rate of 1% for the following uses:
 - (1) Office, General Business (SJMC 20.200.813)
 - (2) Office, Research and Development (SJMC 20.200.818)
 - (3) Data Center (SJMC 20.200.265) to allow the City Council the flexibility to review the uses included and verify that these sectors are being accurately represented this provision shall sunset March 31, 2022.
- (b) Amend Section 4.82.320 of Chapter 4.82 of Title 4 of the San José Municipal Code to authorize the City Manager or designee to compromise or settle tax refund claims for amounts between fifty thousand dollars (\$50,000.00) and a threshold to be determined by the City Council in its consideration of the proposed ordinance, with the written approval of the City Attorney.

4.1 (Cont'd.)

CEQA: Not a Project, File No. PP10-067(a), Non-Project Funding Mechanism, Increase of Adjustment to Fees, Rates & Fares. (Economic Development) (Deferred from 2/14/17 – Item 4.1)
[Community and Economic Development Committee referral 1/23/17 – Item (d)(2)]

Action: Deferred to March 21, 2017 per Rules Committee.

4.2 Approve a City-Private Developer Agreement with KB Home California LLC, a Delaware limited liability company (“Developer”) for the improvement and upsizing of approximately 3,700 linear feet of an existing sanitary sewer located within Berryessa Road, with a reimbursement to the Developer for the actual costs of design and construction in an amount not to exceed \$3,688,472. CEQA: Exempt, File No. PP16-118, CEQA Section 15282(k), Other Statutory Exemptions. Council Districts 3 and 4. (Public Works)

Documents Filed: Memorandum from Director of Public Works Barry Ng, dated February 6, 2017, recommending approval of an Agreement.

Public Comment: Erik Schoennauer, the Schoennauer Company, encouraged approval of the agreement.

Action: Upon motion by Councilmember Tam Nguyen, seconded by Councilmember Donald Rocha and carried unanimously, a City-Private Developer Agreement with KB Home California LLC, a Delaware limited liability company (“Developer”) for the improvement and upsizing of approximately 3,700 linear feet of an existing sanitary sewer located within Berryessa Road, with a reimbursement to the Developer for the actual costs of design and construction in an amount not to exceed \$3,688,472, was approved. (11-0.)

**4.3 Conduct a Public Hearing and adopt a resolution ordering the reorganization of territory designated as Story No. 66, which involves the annexation to the City of San José approximately 0.78 gross acres of land generally located 100 feet west of Rochampton Avenue, and the detachment of the same from the appropriate special districts including the Central Fire Protection District, the County Sanitation District 2-3, the Santa Clara County Lighting Service Area, and the Santa Clara County Library Services (Area No. 1).
CEQA: Determination of Consistency with Envision San José 2040 General Plan Final Program EIR (Resolution No. 76041) and Supplemental EIR to the Envision San José 2040 General Plan Final Program EIR (Resolution No. 77617), File No. C15-012. Council District 5. (Planning, Building and Code Enforcement)**

Action: Dropped and Renoticed to March 14, 2017 per Orders of the Day.

NEIGHBORHOOD SERVICES

- 5.1 As recommended by the Neighborhood Services and Education Committee on February 9, 2017, accept the Department of Parks, Recreation and Neighborhood Services' report on Sustainable Park Maintenance. CEQA: Not a Project, File No. PP10-069(a), City Administrative Activities, Staff Reports. (Parks, Recreation, and Neighborhood Services)
[Neighborhood Services and Education Committee referral 2/9/17 – Item (d)(3)]**

Action: Deferred to March 14, 2017 per Orders of the Day.

- 5.2 (a) Report on bids and award of a contract for 7715 – Trail: Three Creeks (Lonus Street to Minnesota Avenue) Project to the low bidder, GradeTech Inc., in the amount of \$2,714,500, and approve a ten percent contingency in the amount of \$271,450.**
- (b) Adopt the following 2016-2017 Appropriation Ordinance Amendments in the Subdivision Park Trust Fund:**
- (1) Increase the appropriation to the Parks, Recreation and Neighborhood Services Department for the TRAIL: Three Creeks (Lonus Street to Guadalupe River) by \$531,000; and.**
- (2) Decrease the Future PDO/PIO Projects Reserve by \$531,000.**
- CEQA: Mitigated Negative Declaration for the Three Creeks Trail Master Plan, File No. PP14-012. Council District 6. (Public Works/Parks, Recreation and Neighborhood Services/City Manager)**

Action: Deferred to March 7, 2017 per Rules Committee.

TRANSPORTATION & AVIATION SERVICES

- 6.1 (a) Report on bids and award of a construction contract to the low bidder Hensel Phelps Construction Co., for the base bid and Bid Alternate No. 1 in the amount of \$8,801,000 for the 8288 – Mineta San José International Airport – Jetbridges at Gate 29 & Gate 30 Project, and approval of a ten percent contingency in the amount of \$880,100.**
- (b) Adopt a resolution authorizing the Director of Public Works to issue any and all change orders up to the amount of the contingency.**
- (c) Adopt the following 2016-2017 Appropriations Ordinance Amendments in the Airport Renewal and Replacement Fund:**
- (1) Establish an appropriation to the Airport Department for Terminal B Gates 29 & 30 in the amount of \$4,000,000; and**
- (2) Decrease the Unrestricted Ending Fund Balance by \$4,000,000.**
- CEQA: Determination of Consistency with the Final Environmental Impact Report for the San José International Airport Master Plan Update, File No. PP16-089.**

6.1 (Cont'd.)

Documents Filed: (1) Joint memorandum from Director of Public Works Barry Ng and Director of Aviation Services Kimberly J. Becker, dated February 6, 2017, recommending acceptance of a report. (2) Supplemental memorandum from Director of Public Works Barry Ng, Director of Aviation Services Kimberly J. Becker and Senior Deputy City Manager/Budget Director Jennifer Maguire, dated February 24, 2017, providing additional information following the bid opening.

Action: Upon motion by Councilmember Johnny Khamis, seconded by Councilmember Donald Rocha and carried unanimously, Resolution No. 78097, entitled: "A Resolution of the Council of the City of San José Authorizing the Director of Public Works to Negotiate and Execute any Single and/or Multiple Change Orders for the 8288 – Mineta San José International Airport – Jetbridges at Gate 29 and Gate 30 Project in Excess of \$100,000 up to the Amount of the contingency of \$880,100", and Ordinance No. 29884, entitled "An Ordinance of the City of San José Amending Ordinance No. 29762 to Appropriate Moneys in the Airport Renewal and Replacement Fund for Terminal B Gates 29 and 30; and Providing that this Ordinance Shall Become Effective Immediately Upon Adoption", were adopted. (11-0.)

6.2 **Report on bids and award of contract for the 7780 – Ocala Avenue Bike and Pedestrian Improvements Project to the low bidder Wattis Construction Co. Inc., in the amount of \$1,479,017, and approve a ten percent contingency in the amount of \$147,902. CEQA: Exempt, File Nos. PP14-011, and PP15-082, CEQA Section 15301(c), Existing Facilities. Council Districts 5 and 8. (Public Works/Transportation)**

Documents Filed: Memorandum from the Director of Public Works Barry Ng and Director of Transportation Jim Ortbal, dated February 6, 2017, recommending acceptance of a report on bids and award of a contract.

Public Comments: Blair Beekman spoke on the importance of the bike paths.

Action: Upon motion by Councilmember Sylvia Arenas, seconded by Vice Mayor Magdalena Carrasco and carried unanimously, Report on bids and award of contract for the 7780 – Ocala Avenue Bike and Pedestrian Improvements Project to the low bidder Wattis Construction Co. Inc., in the amount of \$1,479,017, with related contingency, was approved. (10-1. Absent: Peralez.)

PUBLIC SAFETY SERVICES

8.1 Adopt a resolution authorizing the City Manager to:

- (a) Execute an Agreement between the City of San José and the South Bay Regional Public Safety Training Consortium for the provision of registration, instruction and clerical support services for academy training for the San José Police Department, for \$500,000 for the period of June 1, 2016, through May 31, 2017; and**
- (b) Execute four additional annual renewal options with the total amount of compensation for the entire contract not to exceed \$2,500,000, subject to the appropriations of funds.**

CEQA: Not a Project, File No. PP10-066(a), Agreements and Contracts. (Police)

Public Comments: Blair Beekman urged a community process.

Documents Filed: (1) Memorandum from Police Chief Edgardo Garcia, dated January 13, 2017, recommending adoption of a resolution. (2) Supplemental memorandum from Police Chief Edgardo Garcia, dated February 23, 2017, providing Council with additional information as requested.

Action: Upon motion by Councilmember Donald Rocha, seconded by Councilmember Chappie Jones and carried unanimously, Resolution No. 78099, entitled: "A Resolution of the Council of the City of San José Authorizing the City Manager to (1) Execute an Agreement with the South Bay Regional Public Safety Training Consortium for the Provision of Registration, Instruction and Clerical Support Services for Academy Training for the San José Police Department for \$500,000 for the Period of June 1, 2016 through May 31, 2017; and (2) Execute Four Additional Annual Renewal Options with the total Amount of Compensation for the Entire Contract not to Exceed \$2,500,000", was adopted. (11-0.)

8.2 Accept the staff report and the San José Police Department Traffic and Pedestrian Stop Study. CEQA: Not a Project, File No. PP10-069(a), Staff Reports. (Police)

Documents Filed: Memorandum from Police Chief Edgardo Garcia, dated February 15, 2017, recommending acceptance of a staff report.

Public Comments: Providing comments and recommendations were: Paul Kelly (SJPOA); Victorious Alexander, Scott Largent, Shaunn Cartwright; Dalem Weatherspoon, Tony Alexander and Jennifer Gota (PACT); Blair Beekman, and Reginald Swilley (BLKC). Reverent Rowan Fairgrove spoke to limited detention data.

Police Chief Edgardo Garcia provided an introduction. Mike Smith, University of Texas at El Paso, and Rob Tilyer, provided a presentation and responded to questions from Council.

Action: Upon motion by Councilmember Raul Peralez, seconded by Vice Mayor Magdalena Carrasco and carried unanimously, the staff report and the San José Police Department Traffic and Pedestrian Stop Study were accepted. (11-0.)

REDEVELOPMENT – SUCCESSOR AGENCY

9.1 Successor Agency to the Redevelopment Agency of the City of San José (the “Successor Agency”) adopt a resolution:

- (a) Authorizing and approving, subject to the approval of the Oversight Board of the Successor Agency (the “Oversight Board”) and the State Department of Finance (“DOF”), the negotiation, execution and delivery, in substantially final form, of a Third Supplement to Fiscal Agent Agreement between the Successor Agency and Wells Fargo Bank, National Association, as Fiscal Agent (the “Fiscal Agent”) relating to the Redevelopment Agency of the City of San José Merged Area Redevelopment Project Taxable Subordinate Housing Set-Aside Tax Allocation Variable Rate Bonds, Series 2010C (the “2010C Bonds”);
- (b) Authorizing and approving, subject to the approval of the Oversight Board and DOF, the negotiation, execution, and delivery, in substantially final form, of a Third Amended and Restated Continuing Covenant Agreement with Wells Fargo Bank, National Association (“Wells Fargo” or “Bank Bond Holder”), as initial bond holder of the 2010C Bonds; and
- (c) Authorizing the Executive Officer and Chief Financial Officer of the Successor Agency, or any other officer of the Successor Agency designated by the Executive Officer or the Chief Financial Officer to take any actions and execute all documents necessary to complete this transaction.

CEQA: Exempt, Not a Project, File No. PP10-067, Non-Project Specific Funding Mechanism. (Successor Agency)

Documents Filed: Memorandum from Director of Finance, Julia Cooper, dated February 6, 2017, recommending adoption of a resolution.

Action: Upon motion by Councilmember Johnny Khamis, seconded by Councilmember Chappie Jones and carried unanimously, Successor Agency Resolution No. 7057, entitled: “A Resolution of the Successor Agency to the Redevelopment Agency of the City of San José Approving and Authorizing the Negotiation, Execution and Delivery of a Third Amended and Restated Continuing Covenant Agreement and Third Supplement to Fiscal Agent Agreement, and Approving and Authorizing Other Related Actions in Order to Allow for the Bank Bond Holder to Continue to Hold the Redevelopment Agency of the City of San José Merged Area Redevelopment Project Revenue Bonds, Series 2010C”, was adopted. (11-0.)

PUBLIC HEARINGS ON CONSENT CALENDAR

11.1 (a) Conforming Rezoning of a Real Property Located at 3550 San Felipe Road.

Recommendation:

- (1) Adopt a resolution adopting the Oakmont of Evergreen Assisted Living Mitigated Negative Declaration, for which an Initial Study was prepared for the rezoning of the 4.9 gross acre site from the A Agricultural and R-1-5 Single-Family Residence Zoning Districts to the CN Commercial Neighborhood Zoning District and the onsite relocation of a Historic City Landmark (Smith House), to allow the construction of a 91,714 square foot, 94-unit Residential Care Facility, all in accordance with the California Environmental Quality Act, as amended, and adopting a related mitigation monitoring and reporting program, which would allow for the consideration of a Historic Preservation Permit by the Director of Planning for the relocation of the Smith House, a Historic City Landmark, and an associated tank house, pump house, and aviary.**
- (2) Consideration of an ordinance of the City of San José rezoning certain real property on a 4.9 gross acre site, located at 3550 San Felipe Road from the A Agricultural and R-1-5 Single-Family Residence Zoning Districts to the CN Commercial Neighborhood Zoning District (Shirley A. Poston Trustee, Owner).**

CEQA: Mitigated Negative Declaration for Oakmont of Evergreen Assisted Living Facility. Planning, Building and Code Enforcement Director recommends approval. (Planning, Building and Code Enforcement)

C16-029 – Council District 8

Action: Dropped and Renoticed to March 14, 2017 per Orders of the Day.

(b) Conforming Rezoning of a Real Property Located East Side of Aiello Drive, Approximately 950 Feet Southerly of Umbarger Road (2744 Aiello Drive).

Recommendation: Consideration of an ordinance of the City of San José rezoning certain real property on a 0.55 gross acre site, located on the east side of Aiello Drive, approximately 950 feet southerly of Umbarger Road (2744 Aiello Drive) from the IP Industrial Park Zoning District to the LI Light Industrial Zoning District (Norberto Martinez, Owner). CEQA: Determination of Consistency with the Envision San José 2040 General Plan Final Program EIR (Resolution No. 76041) and Supplemental EIR (Resolution No. 77617). Planning, Building and Code Enforcement Director recommends approval. (Planning, Building and Code Enforcement) C16-044 – Council District 7

Action: Dropped and Renoticed to March 14, 2017 per Orders of the Day.

END OF CONSENT CALENDAR

11.2 Accept the staff presentation on land use planning in San José, including development history, major strategies of the Envision San José 2040 General Plan, key area plans and policies, and workplan priorities. CEQA: Not a Project, File No. PP10-069, City Organizational and Administrative Activities. (Planning, Building and Code Enforcement)

Action: Deferred to March 2017 per Administration.

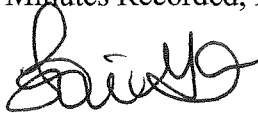
OPEN FORUM

- (1) Blair Beekman offered insights regarding Civil Rights issues and thanked Council for its action on the Washington & Minnesota v. Trump, et al. Amicus Brief.
- (2) Scott Largent expressed criticism for the City's property release policies.
- (3) John Max Reger spoke to prevalent xenophobia in D.C. and violations of the 1st and 8th Amendments to the Constitution.
- (4) Victorious Alexander asserted a need to have the open forum heard first on the agenda and criticized a lack of government accountability.

ADJOURNMENT

Mayor Sam Liccardo adjourned the Council Meeting session at 6:57 p.m.

Minutes Recorded, Prepared and Respectfully Submitted by,



Toni J. Taber, CMC
City Clerk

rmk/02-28-17 MIN